

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 4:21CR300
	§	Judge Jordan
ZACHERY XAVIER WILLIAMS (12)	§	

**ELEMENTS OF THE OFFENSE**

The defendant is charged in Count One of the **Fifth Superseding Indictment** with a violation of 21 U.S.C. § 846, Conspiracy to Possess with the Intent to Manufacture and Distribute Heroin. The essential elements which must be proven to establish the offense are as follows:

- First: That the defendant and one or more persons, directly or indirectly, reached an agreement to commit the crime charged in the **Fifth Superseding Indictment**, that is, to possess with the intent to manufacture and distribute heroin;
- Second: That the defendant knew of the unlawful purpose of the agreement;
- Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose;
- Fourth: That the overall scope of the conspiracy involved 1 kilogram or more of a mixture or substance containing a detectable amount of heroin; and

Fifth: That the defendant knew or reasonably should have known that the scope of the conspiracy involved 1 kilogram or more of a mixture containing a detectable amount of heroin.

Respectfully submitted,

DAMIEN M. DIGGS  
UNITED STATES ATTORNEY

/s/ \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on October 8, 2024.

/s/ \_\_\_\_\_  
HEATHER RATTAN  
Assistant United States Attorney